



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: September 24, 2013  
SUBJECT: Conditional Use Permit No. 938-13  
APPLICANT: Mr. Walter R. Tucker II  
17528 Yellowwood Way  
Carson, CA 90746  
REQUEST: To consider approval of a shared parking conditional use permit to allow a church use on a site zoned ML-D (Manufacturing, Light, Design Overlay Review)  
PROPERTY INVOLVED: 1129 E. Dominguez Street

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#### COMMISSION ACTION

Concurred with staff  
 Did not concur with staff  
 Other

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chair Verrett			Piñon
		Brimmer			Saenz
		Diaz			Schaefer
		Goolsby			

Item No. 10A

I. **Introduction**

*Project Description*

Conditional Use Permit No. 938-13 to approve shared parking allowing church uses to operate within an existing multi-tenant center. The project site is developed with 265 parking spaces and the proposed church sanctuary of 1,806 square feet requires 51 parking spaces. This application will be utilized to entitle the proposed church and two additional churches located on the same property.

*Property Owner*

Melvin A. Peters Trust, 610 N. Bedford Drive, Beverly Hills, CA 90210

*Property Applicant*

Pastor Walter R. Tucker II, 17528 Yellowwood Way, Carson, CA 90745

*Project Address*

1129 E. Dominguez Street, Carson, CA 90745

II. **Background**

*Current Use of Property*

The property is currently developed with multiple tenants with a range of light industrial offices, general warehouse uses and two existing churches. The application was submitted by Pastor Tucker II for a new church. Upon review, staff identified that two existing churches occupy the property. These churches need to obtain approval of a shared parking conditional use permit to operate legally. The applicant understands and agrees to allow their application to be used to entitle the existing two churches.

*Previously Approved Discretionary Permits*

On September 12, 1972 the Planning Commission approved Special Use Permit No. 79-72 for an industrial development and use.

*Public Safety Issues*

After consulting with the Public Safety Department it was determined that there is no open zoning code enforcement case associated with this property.

III. **Analysis**

*Location/Site Characteristics/Existing Development*

The subject property is located at 1129 E. Dominguez Street. The property is approximately 5.2 acres and is developed with approximately 85,120 square feet of light industrial office space with general warehouse uses built in 1973.

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Parking for the proposed church will be shared with the existing tenants. CMC Section 9164.24 B. (Automobile Parking Spaces Required for Mixed Uses) identifies that when two (2) or more uses share a parking facility and when demonstrated by a signed affidavit that the hours of their demand do not substantially overlap, then the parking requirement may be reduced by the Planning Commission through the approval of a Conditional Use Permit provided:

1. The applicant shall show evidence that there is no substantial conflict or overlap in the principal hours of the buildings or uses for which the shared parking facilities are proposed.
2. Any reduction in parking shall not decrease the total number of parking spaces below the level necessary to meet the collective peak parking demand for all participating uses.

To assure that no overlap or conflict occurs with the shared parking facilities a signed affidavit will be a condition of approval. The property owner will be required to maintain substantially the same uses and activities on the property to demonstrate the ability to maintain a shared parking relationship. Currently, the property is occupied by commercial offices use, two existing churches and general warehousing uses.

The proposed church will operate Wednesday's and Friday's from 7:00 p.m. to 10:00 p.m.; Saturday's from twelve (12) noon to 10:00 p.m. and Sunday's from 6:00 a.m. to 10:00 p.m.

#### *Zoning/General Plan Designation*

The subject property is zoned ML-D (Manufacturing, Light-Design Overlay) and all the surrounding properties have the same zoning. The subject property has a General Plan Land Use designation of Light Industrial that supports the proposed use.

#### **CHURCH PARKING ANALYSIS**

The proposed church sanctuary of 1,806 square feet requires approximately 51 parking spaces. There are two other churches on the site that have signed the "shared parking agreement" to ensure that the hours for the parking demand do not substantially overlap or conflict. The City of Truth Ministries Church with a sanctuary of 1,650-square-feet requires 47 parking spaces and operates Sunday and Thursdays between 7:00 a.m. to 3:00 p.m. The House of Prayer Church with approximately 864-square-feet sanctuary requires 25 parking spaces and operates on Sunday from 9:00 a.m. to 1:30 p.m. and Tuesdays from 6:00 p.m. to 9:00 p.m.

Staff has visited the site during the week at different times of the day and at each visit the parking areas are half empty. The property owner representative indicates that the light industrial office complex consists of 48 office units with four (4) currently vacant. Based on the above information and Carson's Traffic Engineer review, staff does not anticipate a problem with the parking demand overlap or conflict.

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## EXISTING TENANTS HOURS OF OPERATION TABLE

CL      X ✓ ✗ Tenant / Business Name						
A	C	D	E	F		
1 Unit No.	Tenant / Business Name	USE	Area (SF)	Days & hours of Operation		
2	1123-A	Primerica	Gen Warehouse	1,984	Th , 7:00 - 9:00 pm; Sat, 8-11:30 am	
3	1123-B	Our House Theatrical & Learning Center	Gen Warehouse	3,456	M-F, 8:00 am - 3:00 pm	
4	1123-C	(see # 1123-B)	Gen Warehouse		M-F, 8:00 am - 3:00 pm	
5	1123-D	Lemuel D. Acosta	Gen Warehouse	1,728	Never present	
6	1123-E	BRS Facilities	Gen Warehouse	1,728	M-F, 9:00 am - 5:00 pm	
7	1123-F	KNS Shipping, Inc.	Gen Warehouse	1,728	M-F, 8:00 am - 6:00 pm	
8	1123-G	TNC Marketing Inc	Gen Warehouse	1,728	M-F, 9:00 am - 5:00 pm	
9	1123-H	Kido Inc	Gen Warehouse	1,728	M-F, 9:00 am - 5:00 pm	
10	1123-I	House of Prayer	Church	3,456	Tues, 7:00 pm - 9:00 pm, Sun 10:00 am - 12:30 pm	
11	1123-J	TM Engineering	Gen Warehouse	1,728	by appointment	
12	1123-K	Johnson Laminating & Coating, Inc.	Gen Warehouse	3,744	M-F, 8:00 am - 5:00 pm	
13	1123-L	(see #1123-K)	Gen Warehouse	0	M-F, 8:00 am - 5:00 pm	
14	1129-A	Truth and Love Christian Church	Church	2,016	Wed, 7:00 pm - 10:00 pm; Fri, 7:00 pm - 10:00 pm; Sat, 12:00pm - 10:00 pm; Sun, 6:00 am - 10:00 pm	
15	1129-B	Truth and Love Christian Church	Church	1,728	Same as 1129-A	
16	1129-C	Truth and Love Christian Church	Church	1,728	Same as 1129-B	
17	1129-D	4 Interior Design	Gen Warehouse	1,728	M-F, 10:00 am - 5:00 pm	
18	1129-E	Manhattan Flooring/Ser Pro	Gen Warehouse	3,456	M-F, 7:00 am - 6:00 pm	
19	1129-F	(see #1129-E)	Gen Warehouse	0	M-F, 7:00 am - 6:00 pm	
20	1129-G	Our House Theatrical & Learning Center	Gen Warehouse	5,184	M-F, 8:30 am - 2:30 pm	
21	1129-H	(see #1129-G)	Gen Warehouse	0	M-F, 8:30 am - 2:30 pm	
22	1129-I	(see #1129-G)	Gen Warehouse	0	M-F, 8:30 am - 2:30 pm	
23	1129-J	FHL Express	Gen Warehouse	3,456	M-F, 9:00 am - 8:00 pm	
24	1129-K	(see #1129-J)	Gen Warehouse	0	M-F, 9:00 am - 8:00 pm	
25	1129-L	Hong Kim	Gen Warehouse	1,984	never present	
26	1139-A	VACANT	VACANT	1,984	vacant	
27	1139-B	Chrystal Morris	Gen Warehouse	1,728	hardly ever there	
28	1139-C	City of Truth	Church	3,456	Sun -Thur, 7:00 am - 3:00 pm	
29	1139-D	(see #1139-C)	Church	0	Sun -Thur, 7:00 am - 3:00 pm	
30	1139-E	Linal, Inc.	Gen Warehouse	1,728	M-F, 9:30 am - 5:00 pm	



33	1139-F	Savon Hair Club	Gen Warehouse	1,728	M-S, 8:00 am - 6:00 pm
34	1139-G	Seems Vacant	Gen Warehouse	1,728	never present
35	1139-H	JST Systems, Inc.	Gen Warehouse	1,728	M-S, 7:00 am - 6:00 pm
36	1139-I	Hailey Club	Gen Warehouse	1,728	M-F, 9:00 am - 6:00 pm
37	1139-J	Yoshito Ito	Gen Warehouse	1,728	never present
38	1139-K	Johnson Laminating & Coating, Inc.	Gen Warehouse	1,728	M-F, 8:00 am - 5:00 pm
39	1139-L	Johnson Laminating & Coating, Inc.	Gen Warehouse	2,016	M-F, 8:00 am - 5:00 pm
40					
41	1145-A	Nextdoor Neighbor, LLC.	Gen Warehouse	3,744	M-F, 10:00 am - 6:00 pm
42	1145-B	(see #1145-A)	Gen Warehouse	0	M-F, 10:00 am - 6:00 pm
43	1145-C	Robert Polly	Gen Warehouse	3,456	never present
44	1145-D	(see 1145-C)	Gen Warehouse	0	never present
45	1145-E	Civilian Lab	Gen Warehouse	1,728	M-S, 8:00 am - 5:00 pm
46	1145-F	(see 1145 -E)	Gen Warehouse	1,728	M-S, 8:00 am - 5:00 pm
47	1145-G	VACANT	Gen Warehouse	1,728	Vacant
48	1145-H	Tower Co Acquisition (fmrly Nextel)	Cell Tower	1,728	never present
49	1145-I	Keith Schauwecker	Gen Warehouse	1,728	never present
50	1145-J	(see #1145-I)	Gen Warehouse	0	never present
51	1145-K	Bridgeport, Inc.	Gen Warehouse	3,712	M-F, 8:30 am - 5:00 pm
52	1145-L	(see #1145-K)	Gen Warehouse	0	M-F, 8:30 am - 5:00 pm
53				85,120	

54  
55  
56  
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58  
59  
60

No. of Units	
Occupied	44
Vacant	4
<b>Total</b>	<b>48</b>

*Applicable Zoning Ordinance Regulations*

The project site is developed with 265 parking spaces. The proposed church sanctuary of 1,806 square feet requires approximately 51 parking spaces to be in compliance with CMC Section 9162.21(B)(8), institutional church parking. The existing two churches require 72 parking spaces for a total of 123 parking spaces required to serve the institutional church parking for all three churches when services overlap. The proposed parking and site access areas have been reviewed by the Traffic Engineer and were deemed as acceptable and in compliance with the CMC requirements. The existing parking will be shared with existing tenants identified in the attached signed "shared parking agreement" to ensure that the hours for the parking demand do not substantially overlap or conflict.



*Required Findings: Conditional Use Permit*

Pursuant to Section 9172.21(D), Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.
2. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. The proposed use and development will be compatible with the intended character of the area.

The required findings pursuant to Section 9172.21 (D) Conditional Use Permit Approval Authority and Findings and Decision”, can be made in the affirmative. Details can be found in the attached Resolution.

IV. Environmental Review

Pursuant to Section 15332, In-Fill Development Projects, of the California Environmental Quality Act (CEQA) Guidelines a “Categorical Exemption” has been prepared for the proposed project..

V. Recommendation

That the Planning Commission

- **WAIVE** further reading and **ADOPT** Resolution No.\_\_\_\_\_, entitled “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CUP NO. 938-13 FOR SHARED PARKING TO ALLOW A CHURCH USE ON A SITE ZONED ML-D (MANUFACTURING, LIGHT-DESIGN OVERLAY) LOCATED AT 1129 E. DOMINGUEZ STREET.”

VI. Exhibits

1. Draft Resolution and “Exhibit A” (Legal Description)
2. Site Plan Map
3. Shared Parking Agreement

Prepared by:   
Zak Gonzalez II, Associate Planner

Reviewed by:   
John F. Signo, AICP, Senior Planner

Approved by:   
Sheri Repp, Planning Officer

Planning Commission Staff Report  
CUP No. 938-13  
September 10, 2013



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 13-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CUP NO. 938-13 FOR SHARED PARKING TO ALLOW A CHURCH USE ON A SITE ZONED ML-D (MANUFACTURING, LIGHT-DESIGN OVERLAY) LOCATED AT 1129 E. DOMINGUEZ STREET**

**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

**Section 1.** An application was duly filed by the applicant, Mr. Walter R. Tucker II, on behalf of the property owner, Melvin A. Peters Trust, with respect to real property located at 1129 E. Dominguez Street, and described in Exhibit "A" attached hereto, requesting the approval of Conditional Use Permit (CUP) No. 938-13 for shared parking on a site zoned ML-D (Manufacturing, Light – Design Overlay) to allow the operation of a church use.

**Section 2.** A public hearing was duly held on September 10, 2013, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

**Section 3.** The Planning Commission finds that:

- a) The proposed use and request of the shared parking conditional use permit is consistent with the General Plan land use designation of Light Industrial.
- b) The project is compatible with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, and site emergency access.
- c) The City Traffic Engineer reviewed the proposed site plan and the existing 265 parking spaces to be shared by the existing tenants and the proposed church and deemed the existing parking and vehicle access to and from the site as adequate to serve the uses. The City Traffic Engineer determined that the proposed project will not generate any significant traffic impacts to the area and is in compliance with all other CMC parking requirements. The shared parking agreement for said property will ensure that there will be no conflict or overlap in the principal operating hours of the buildings or uses for which the shared parking is proposed.
- d) The proposed project meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. All of the required findings pursuant to Section 9172.21(d), "Conditional Use Permit, Approval Authority and Findings and Decision" can be made in the affirmative.



**Section 4.** Pursuant to Section 15332, In-Fill Development Projects, of the California Environmental Quality Act (CEQA) Guidelines, there is no substantial evidence that the project would have a significant effect on the environment since the site is developed and no physical exterior construction is proposed. As such, the project is categorical exemption from further environmental review.

**Section 5.** Based on the aforementioned findings, the Commission hereby grants Conditional Use Permit No. 938-13 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto and approves the shared parking agreement as set forth in Exhibit "C" attached hereto.

**Section 6.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

**Section 7.** This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

**PASSED, APPROVED AND ADOPTED THIS 10<sup>th</sup> DAY OF SEPTEMBER, 2013.**

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**CHAIRMAN**

**ATTEST:**

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**SECRETARY**





EXHIBIT "A"  
LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCELS 6 AND 7 OF PARCEL MAP 3224, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 43, PAGE 28 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT ALL 100 PERCENT OF THE OIL, GAS, PETROLEUM AND OTHER HYDROCARBON SUBSTANCES WHICH LIE BELOW A PLANE PARALLEL TO AND 500 FEET BELOW THE NATURAL SURFACE OF SAID LAND WITHOUT, HOWEVER, ANY RIGHT TO ENTER UPON THE SURFACE OF SAID LAND TO EXPLORE FOR, DEVELOP OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP OR REMOVE SAID SUBSTANCES, BUT WITH FULL RIGHT TO EXPLORE FOR, DEVELOP AND REMOVE THE SAME BY MEANS OF WELLS OR EQUIPMENT, HAVING SURFACE LOCATIONS OUTSIDE THE OUTER BOUNDARIES OF SAID REAL PROPERTY, AS EXCEPTED IN THE DEED FROM DEL AMO ESTATE COMPANY, A CORPORATION, RECORDED NOVEMBER 8, 1963 IN BOOK D-2250 PAGE 752, OFFICIAL RECORDS.

APN NO. 7381-025-043 AND 7381-025-044



72'

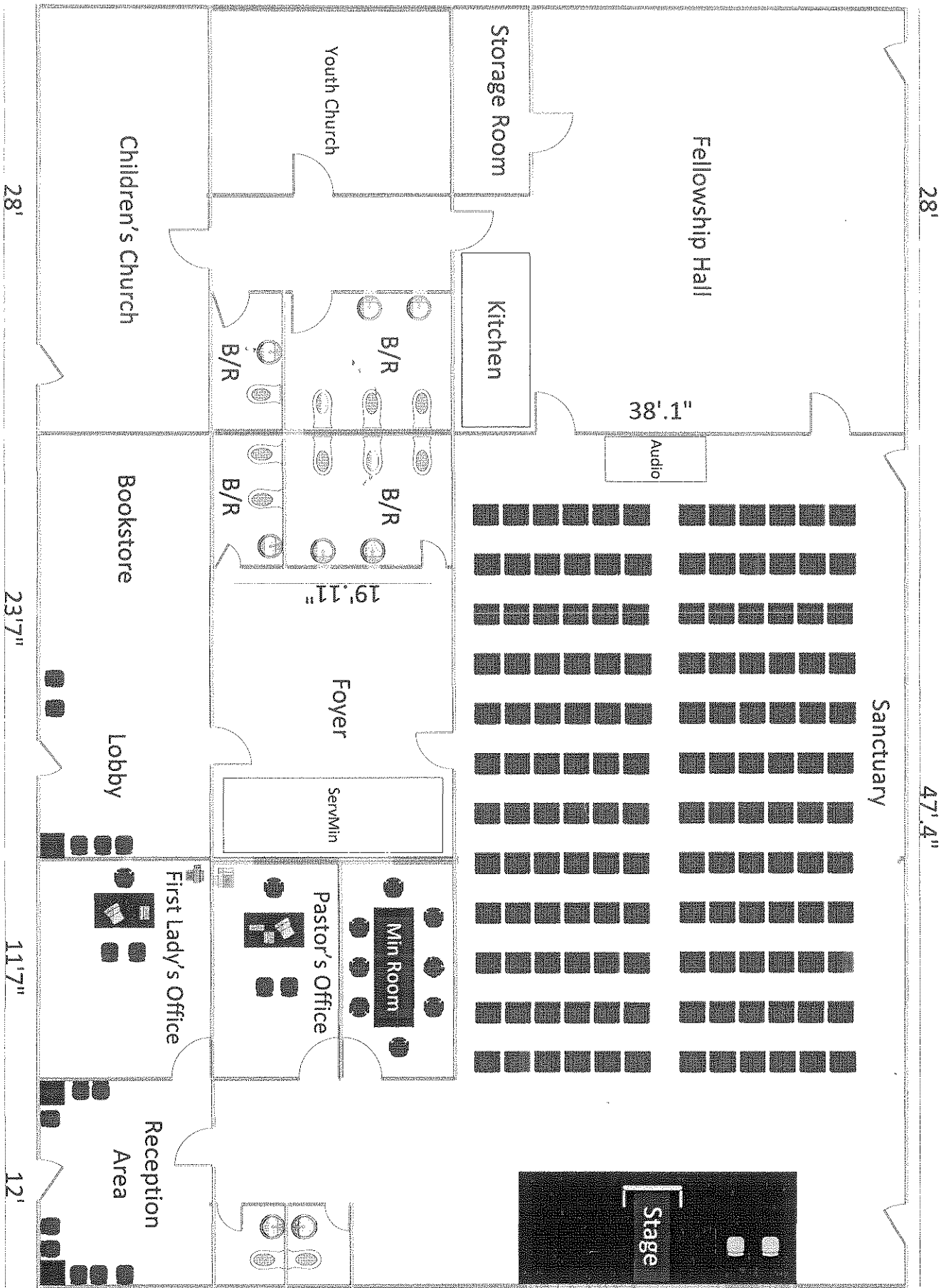
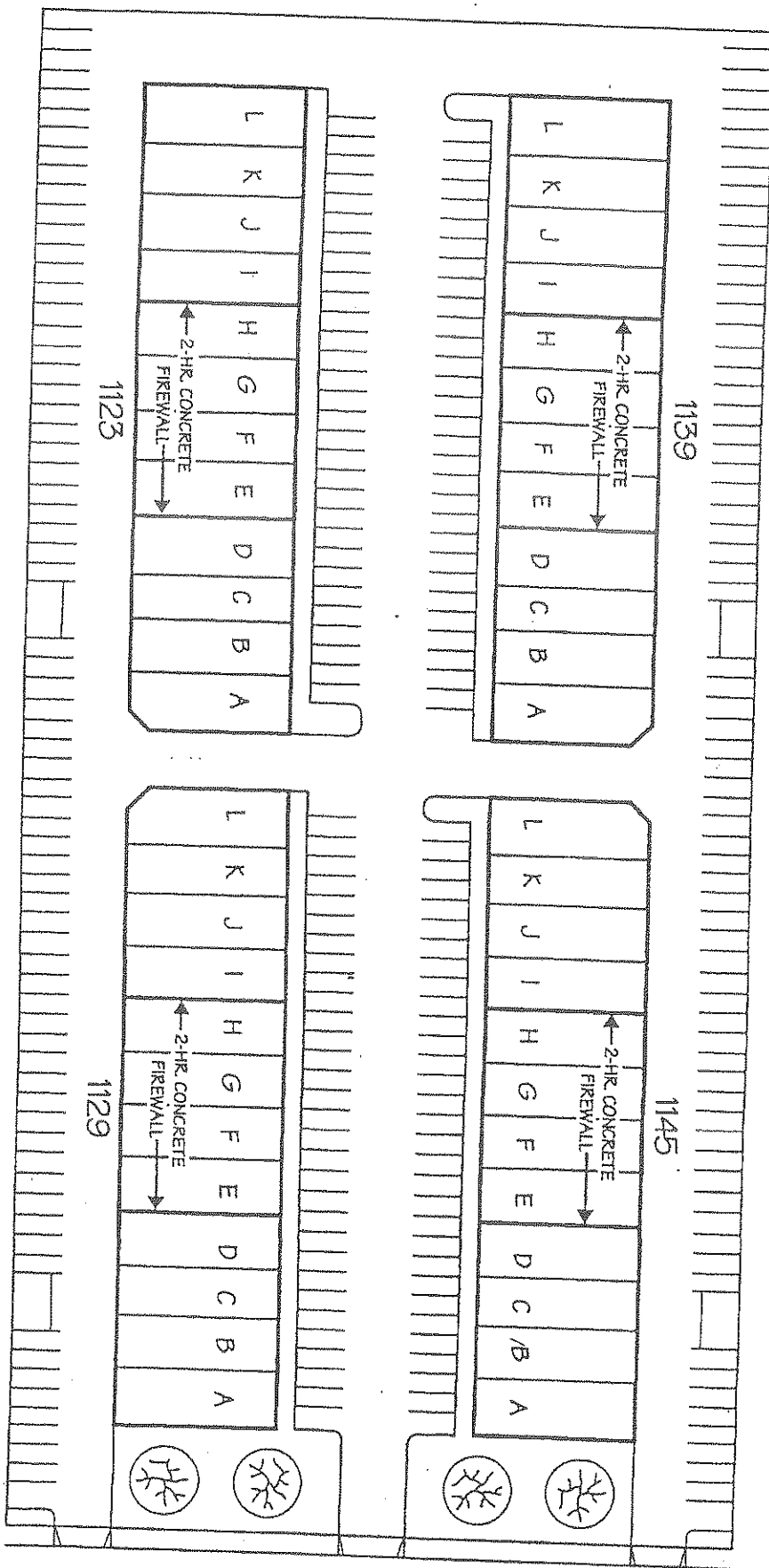


EXHIBIT NO. 02 60





EAST DOMINGUEZ STREET



EXHIBIT "C"

SHARED PARKING AGREEMENT

Whereas Truth and Love Christian Church (hereafter "Church") is a church, duly incorporated in the State of California, and is in the process of applying for a Conditional Use Permit (No. 938-13) to be located at 1129 E. Dominguez St, Units A, B, & C, Carson, California, 90746.

Whereas 1129 E. Dominguez St. Units A-C, is a part of a Site Plan (hereafter "Property"), which includes Tenants/Business owners located at four different/separate buildings whose addresses are 1123, 1129, 1139 and 1145 E. Dominguez St., Carson, CA 90746 (hereafter "Buildings").

Whereas Melvin Peters Trust is the legal owner of the Property and Janet Song (hereafter "Owner") is the duly authorized agent and business representative of Melvin Peters Trust, since Melvin Peters is deceased and the trust has authorized her to conduct business on its behalf.

Whereas there are a total of 264 parking spaces on the entire Site Plan, and there is open parking – no parking spaces assigned to any Tenant/Business Owner.

Whereas, Carson's Zoning Ordinance requires 51 parking spaces for the Church's proposed Sanctuary.

Whereas, Church's proposed SPECIAL HOURS FOR CHURCH SERVICES and FELLOWSHIPS will be:

- Wednesday Night Bible Study, 7:00 pm to 10:00 pm
- Friday Night Prayer Service, 7:00 pm to 10:00 pm
- Saturday Fellowship and Worship Service, 12:00 pm to 10:00 pm
- Sunday Worship Service: 6:00 am to 10:00 pm

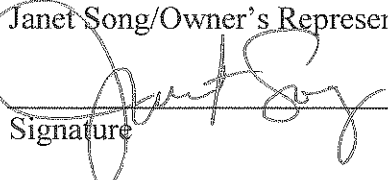
Whereas the Church's proposed business days and hours of operation will NOT conflict or overlap with the business days and hours of operation of the undersigned Tenants/Business owners as evidenced by Attachment/Exhibit A.


Therefore, on this day of August 6, 2013, the Property Owner and the undersigned Business Owners/Tenants do hereby grant to the Church permission to use/share 51 Parking Spaces at the Property as requested by Church and as specified in Attachment/Exhibit "A"

The subject conditional use permit along with the subject agreement will run with the land upon City of Carson approval and County of Los Angeles recordation until the "Church" ceases to operate at said location.

Melvin Peters Trust (Property Owner)  
Janet Song/Owner's Representative

Truth and Love Christian Church (Church)  
Walter R. Tucker, III/Church Representative

  
Signature \_\_\_\_\_ Date 8/11/13

  
Signature \_\_\_\_\_ Date 8/11/13



The undersigned tenants of the subject property are in agreement with the abovementioned terms of this agreement and Exhibit "A" herebelow:

Business Name	Address/Unit #	Hours/Days of Operation	Signature	Date
PRIMERICA	1123 E. Dominguez, Unit A	M-5 8-5pm	[Signature]	8/3/13
OUR HOUSE	1123 E. Dominguez, Units B & C	M-F 8:30-3:00	[Signature]	8/6/13
	1123 E. Dominguez, Unit D			
	1123 E. Dominguez, Unit E			
KWS SHIPPING	1123 E. Dominguez, Unit F	8-6 (M-F)	[Signature]	8/2/13
TNC Promotional Mktg	1123 E. Dominguez, Unit G	9-5 (M-F)	[Signature]	8/6/13
KIDO INC	1123 E. Dominguez, Unit H	9-5	[Signature]	
HOUSE OF PRAYER	1123 E. Dominguez, Unit I	S: 9-130	[Signature]	9/6/13
TM ENGINEERING	1123 E. Dominguez, Unit J	T: 8-930	[Signature]	8/6/13
Johnson laminates	1123 E. Dominguez, Unit K & L	8-5 PM	[Signature]	8/2/13
	1129 E. Dominguez, Units A, B & C			
4 POINT INTERIOR INC	1129 E. Dominguez, Unit D		Blanchette Mand	8/2/13
Manhattan Flooring	1129 E. Dominguez, Units E & F	Tam-6pm M-F	[Signature]	8/2/13
MET II	1129 E. Dominguez, Units G, H & I	By appt. variable	Kathie Urban	8-2-13
FHL	1129 E. Dominguez, Units J & K	9-5 (M-F)	[Signature]	8/2/13
	1129 E. Dominguez, Unit L			
	1139 E. Dominguez, Unit B			
City of Truth	1139 E. Dominguez, Unit C & D	So - Tues 7am-3pm	V-M Lewis	8/6/13
LINAL	1139 E. Dominguez, Unit E	M-F 8-5	[Signature]	8/6/13
Town Hair Care	1139 E. Dominguez, Unit F	M-Sat 8-10	[Signature]	8/6/13
	1139 E. Dominguez, Unit G			
JST Systems	1139 E. Dominguez, Unit H	M-S. 7-7PM	[Signature]	8/6/13
Hainley Clubizer	1139 E. Dominguez, Unit I	MF 9-6	[Signature]	8/6/13
	1139 E. Dominguez, Unit J	MF		
Johnson laminates	1139 E. Dominguez, Units K & L	MF - 8-5 PM	[Signature]	8/2/13
NEATWORK NEIGHBOR LLC	1145 E. Dominguez, Units A & B	M-F 10A-6PM	[Signature]	08/2/13
	1145 E. Dominguez, Units C & D			
	1145 E. Dominguez, Unit H			
	1145 E. Dominguez, Unit I & J			
Bridgeport Inc	1145 E. Dominguez, Unit K & L	8:30-5:00 M-F	[Signature]	8/2/13



# ACKNOWLEDGMENT

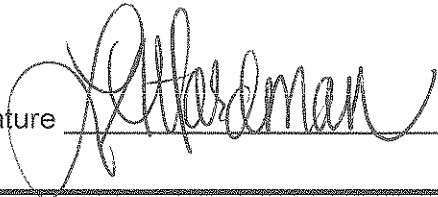
State of California  
County of Los Angeles )

On August 1, 2013 before me, Usra A. Hardman, Notary Public  
(insert name and title of the officer)

personally appeared Janet Choi Song  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the  
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

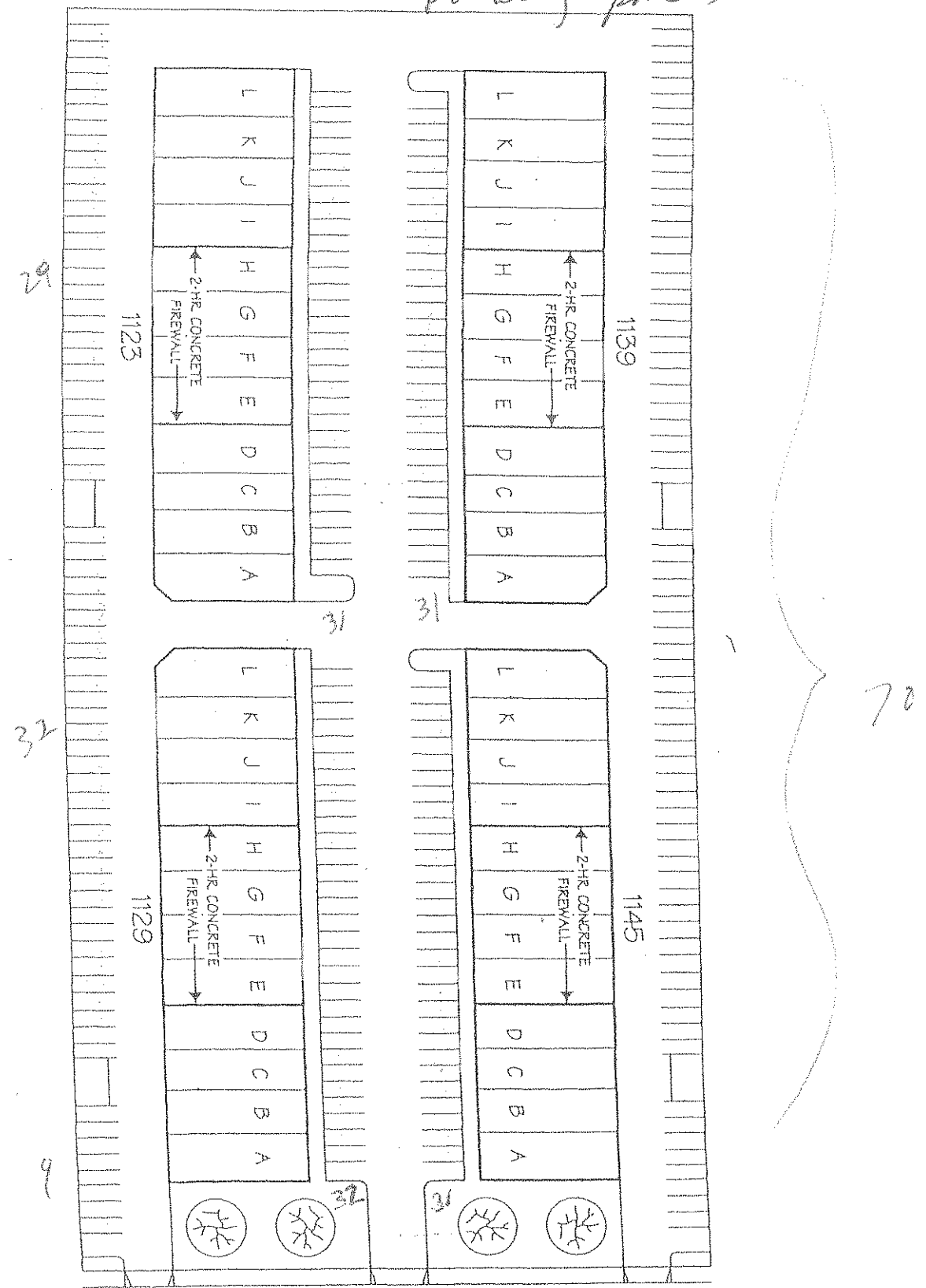
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)



*parking spaces*



EAST DOMINGUEZ STREET

129 spaces - main inside  
 140 spaces - outside  
 EXHIBIT  
 C

INITIAL



70